

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 29, 1990
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:02 p.m. with no quorum present. A quorum was present at 2:08 p.m. with Council members Roberts, Pratt and McCarty not present. The meeting was adjourned by Mayor O'Connor at 6:25 p.m. to meet in Closed Session on Tuesday, October 30, 1990, at 9:30 a.m. in the 12th floor conference room, City Administration Building, to discuss potential litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (ll)

FILE LOCATION: MINUTES

Oct-29-1990

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Monday, October 29, 1990**

Page 2

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

Oct-29-1990

ITEM-10: INVOCATION

Invocation was given by Intern Pastor, Amy Clump of
First Lutheran Church.

FILE LOCATION: MINUTES

Oct-29-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Henderson.

FILE LOCATION: MINUTES

Oct-29-1990

ITEM-30: APPROVED

Approval of Council Minutes for the Meeting of:
8/6/90
8/7/90

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Monday, October 29, 1990**

Page 3

8/13/90 Special
8/13/90 Adjourned
8/14/90 Adjourned
8/20/90 Adjourned
8/21/90 Adjourned
8/27/90 Special
8/27/90 Adjourned
8/28/90 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A049-A051.)

MOTION BY FILNER TO APPROVE. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-31: PROCLAIMED

Proclaiming November 20, 1990, through January 1, 1991, to be "Tie One on For Safety Days" in San Diego, and commending the MADD membership for its fine efforts in the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A092-A100.)

MOTION BY BERNHARDT TO PROCLAIM. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-32: (R-91-627) ADOPTED AS RESOLUTION R-276736

Making a presentation to Allen Joe Wall of the Park and Recreation Department and authorizing suggestion awards in the amounts of \$5,000 and \$1,017.97.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A101-A120.)

MOTION BY FILNER TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-90-181) ADOPTED AS ORDINANCE O-17540 (New Series)

Amending Chapter II, Article 2, Division 2, of the San Diego Municipal Code by amending Section 22.0211, relating to Public Works Contracts - Public Bidding Required. (Introduced on 10/15/90. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A592-605.)

CONSENT MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-51: (O-91-12 Rev.1) ADOPTED AS ORDINANCE O-17541 (New Series)

19901029

Amending Chapter III, Article 3, Division 39, of the San Diego Municipal Code, by amending Section 33.3917, to increase the hourly charge to cardroom players from \$2.50 to \$4.00. (Introduced as amended on 10/15/90. Council voted 6-3. Districts 5, 6 and 7 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A610-B175.)

MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-91-53) ADOPTED AS ORDINANCE O-17542 (New Series)

Amending Chapter X, Article 1, Division 8, of the San Diego Municipal Code by amending Section 101.0821, relating to tandem parking in new residential development within the boundaries of the Pacific Beach Community Plan Area. (District-6. Introduced on 10/15/90. Council voted 7-0. District 8 and Mayor not present.)

FILE LOCATION: LAND-Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: A592-605.)

CONSENT MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-53: (O-91-58) ADOPTED AS ORDINANCE O-17543 (New Series)

Amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code by amending Section 103.0602 relating to the North City West Planned District. (District-1. Introduced on 10/16/90. Council voted 8-0. Mayor not present.)

FILE LOCATION: LAND-North City West Planned District

COUNCIL ACTION: (Tape location: A592-605.)

CONSENT MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-54: (O-91-64) ADOPTED AS ORDINANCE O-17544 (New Series)

Amending Chapter IX, Article 8, Division 1, of the San Diego Municipal Code by amending Section 98.0107 relating to Housing Permits Required.
(Introduced on 10/16/90. Council voted 5-0. Districts 2, 5, 6 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A592-605.)

CONSENT MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-55: (O-91-70) INTRODUCED, TO BE ADOPTED NOVEMBER 13, 1990

Introduction of an Ordinance amending Chapter II, Article 6, Division 8, of the San Diego Municipal Code by amending Sections 26.0802 and 26.0803 relating to Citizens Advisory Board on Police/Community Relations.
(See memorandum from Councilmember Henderson dated 7/9/90 and memorandum from Councilmember Roberts dated 7/17/90.)

COMMITTEE ACTION: Initiated by RULES on 10/3/90.

Recommendation to approve the expansion of the Board and recommend that the Mayor appoint Dr. Kenji Ima as the additional member. Districts 1, 2, 4, 5, 8 and Mayor voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B178-188.)

CONSENT MOTION BY HENDERSON TO INTRODUCE. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-91-551) ADOPTED AS RESOLUTION R-276737

Awarding a contract to Carolyn E. Scheidel Contractor in the amount of \$243,888 for Mid-City Commercial Revitalization Program Phase 4 City Heights West University Avenue (Wilson Avenue - 37th Street); authorizing the expenditure of an amount not to exceed \$25,000 from CDBG Fund No. 18525, Department No. 5883, Organization No. 8302, Job Order No. 000001, to supplement funds previously authorized by Resolution R-276282, adopted August 6, 1990, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K1684/91)

(City Heights Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This contract was advertised on August 9, 1990. Forty-nine bid packages were issued and three bids submitted. The estimated construction cost, prepared by the City's design consultant, was \$220,000. A low bid submitted by Carolyn E. Scheidel, Contractor, was for \$243,888, which is \$23,888 (10.9%) over the consultant's estimate. All bids received exceeded the estimate. Based on the range of the three bids received (\$298,358.50,

\$269,988.81 and \$243,888) it is recommended that the low bid of \$243,888 be accepted and the contract be awarded to Carolyn E. Scheidel, Contractor. The additional funds are available in the Mid-City Commercial Revitalization program. Aud. Cert. 9100280.

FILE LOCATION: CONT-Carolyn E. Scheidel Contractor
CONFY91-1

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-101:

Two actions relative to the Sunset Cliffs Boulevard Bridge Widening and Roadway Improvements for Class I Bikeway: (Mission Beach and Ocean Beach Community Areas. District-2.)
Subitem-A: (R-91-554) ADOPTED AS RESOLUTION R-276738

19901029

Awarding a contract to Daley Construction in the amount of \$3,444,444 for Sunset Cliffs Boulevard Bridge Widening and Roadway Improvements for Class I Bikeway; authorizing the City Auditor and Comptroller to establish an interest bearing fund, Capital Outlay - Grant Fund No. 38100, State Local Transportation Partnership Program; authorizing the City Auditor and Comptroller to transfer \$400,757 from Capital Outlay - Grant Fund No. 38100, State Local Transportation Partnership Program (\$216,706 to CIP-52-121.3, Radio Drive/Valencia Parkway - Division Street to Imperial Avenue; \$107,112 to CIP-52-353, Eighth

Avenue Requirements from L Street to Harbor Drive; and \$76,939 to CIP-52-295, Genesee Avenue - Linda Vista Road to Osler Street); authorizing the City Auditor and Comptroller to transfer \$651,034 from Proposition 'A' Fund No. 30300 (\$130,000 from CIP-68-010, Construct Top 10-15 Prioritized Traffic Signals; \$100,000 from CIP-68-008, Traffic Signal Subsystems; \$20,277 from CIP-58-004, Miscellaneous Requirements - City Streets; \$76,939 from CIP-52-295, Genesee Avenue - Linda Vista to Osler Street; \$216,706 from CIP-52-121.3, Radio Drive/Valencia Parkway - Division Street to Imperial Avenue; \$107,112 from CIP-52-353, Eighth Avenue Requirements from L to Harbor Drive), \$319,821 from TransNet Annual Reserves; and \$829,145 from TransNet Interest to CIP-58-045, Sunset Cliffs Boulevard Bridge Bikeway and Median Improvements; authorizing the expenditure of funds to supplement funds previously authorized by Resolution R-275253, adopted on March 12, 1990, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the

administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1271/90)
Subitem-B: (R-91-555) ADOPTED AS RESOLUTION R-276739

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-87-0358, dated March 12, 1990, in connection with Sunset Cliffs Boulevard Bridge Widening and Roadway Improvements for Class I Bikeway, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: On May 9, 1990 two bids (83 bid packages issued) were received with the low bid of \$3,444,444 being 86 percent above the construction estimate of \$1,848,500. The second bid was for about \$3.6 million.

Although the low bid is a significant amount above the construction estimate, we do not believe that rebidding the project will result in lower overall costs. Therefore, it is recommended that the low bid by Daley Corporation be accepted so that construction can begin as soon as possible. Now that the beach season is winding down, it is an excellent time to begin construction.

Aud. Cert. 9100281.

FILE LOCATION: CONT-Daley Construction CONTFY91-1

COUNCIL ACTION: (Tape location: B217-271.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-91-521) ADOPTED AS RESOLUTION R-276740

Awarding a contract to Carus Chemical Company for furnishing an estimated 200,000 pounds of potassium permanganate free flowing Cairox, as may be required for a period of one year beginning November 1, 1990 through October 31, 1991, for an estimated cost of \$256,700,

including tax, with an option to renew the contract for two additional one year periods with total price escalation not to exceed 15 percent of the bid price; declaring that in the event the Contractor fails to deliver material meeting specifications in accordance with the delivery schedule, the Purchasing Agent is authorized to buy potassium permanganate on the open market on an emergency basis.
(BID-B1673/91)

FILE LOCATION: CONT-Purchase Carus Chemical Company
CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-91-536) ADOPTED AS RESOLUTION R-276741

Awarding contracts to Gifford Engineering, Inc. and Best Tech for General Electric, Motorola and King Radio Communication Parts, as may be required for a period of one year beginning December 1, 1990 through November 30, 1991, for an estimated cost of \$83,330, with an option to renew the contract for one additional one year period, under the same terms and conditions, as follows: (BID-B1749/91)

1. Gifford Engineering, Inc. for Section I and II.
2. Best Tech for Section III.

FILE LOCATION: CONT-Purchase Gifford Engineering, Inc. and Best Tech CONTFY91-2

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-91-540) ADOPTED AS RESOLUTION R-276742

Awarding a contract to Marden Susco, Inc. for furnishing 2" double check backflow prevention assemblies, as may be required for a period of one year beginning August 15, 1990 through August 14, 1991, for an estimated cost of \$48,900, including tax and terms, with options to renew the contract for four additional one-year periods, with no option year price increases. (BID-E1708/91)

FILE LOCATION: CONT-Purchase Marden Susco, Inc.
CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-91-541) ADOPTED AS RESOLUTION R-276743

Awarding contracts for furnishing will call service for the purchase of electrical parts, supplies and equipment, as may be required for a period of one year beginning October 1, 1990 through September 30, 1991, for an estimated cost of \$200,000, including tax and terms, with an option to renew the contract for two additional one-year periods: (BID-E1692/91)

1. Coast Electric Co. for Sections 100, 110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 220, 230, 240, 250, 260, 270, and 290.
2. Electric Supplies Distributing Co. (ESD) for Sections 100, 110, 120, 130, 140, 160, 170, 180, 190, 220, 230, 240, 250, 260 and 280.
3. Westinghouse Electric Supply Co. (WESCO) for Sections 100, 110, 120, 130, 140, 150, 160, 170, 190, 200, 220, 230, 240, 260, 270, 290 and 300.
4. San Diego Wholesale Electric Co. for Sections 100, 110, 120, 140, 150, 160, 170, 180, 190, 200, 220, 230, 240, 250, 260, 270, 280, 290 and 300.
5. Deco for Sections 100, 110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 210, 220, 230 and 280.

FILE LOCATION: CONT-Purchase Coast Electric Co., Electric Supplies Distributing Co., Westinghouse Electric Supply Co.(WESCO), San Diego Wholesale Electric Co., Deco
CONTFY91-5

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-91-525) ADOPTED AS RESOLUTION R-276744

Awarding a contract to T & J Garage, Inc. for the purchase of two front loading recycling trucks (Crane Carrier Model LET-23C) for a total cost of \$211,282.50, including tax; authorizing the expenditure not to exceed \$211,282.50 from Department No. 8203, Fund No. 50033, Object Account No. 6013, and Job Order No. 88080, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C1621/90)
Aud. Cert. 9100294.

FILE LOCATION: CONT-Purchase T&J Garage, Inc.
CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-91-329) ADOPTED AS RESOLUTION R-276745

Rescinding the contract with Worthington Dodge for the purchase of Light Duty Vehicles (BID-C119/90), Item 5 - 16 1/2 ton pickup trucks (Dodge AD6L62), Item 8 - 8 3/4 ton pickup trucks (Dodge AD6L62), and Item 18 - 29 3/4 ton service trucks (Dodge D250 with Harbor 56" CA body), authorized by Resolution R-275506, adopted on April 16,

1990; awarding contracts for the purchase of light duty vehicles, for an estimated cost of \$672,274.03, including tax, as follows: (BID-C1711/91)

1. Kearny Mesa Dodge for Item 1 - 16 1/2 ton trucks pickup trucks (Dodge AD1L62).
2. Courtesy Chevrolet for Item 2 - 8 3/4 ton pickup trucks (Chevrolet CK20903-4x4).
3. Garden Grove Dodge for Item 3 - 29 3/4 ton service trucks (Dodge AD2L62 with Harbor Body 96V).

Authorizing the expenditure of an amount not to exceed \$672,274.03 from:

| Fund | Dept. | Acct. | Job Order | Amount |
|----------------------------|-------|-------|-----------|--------------|
| Kearny Mesa Dodge | | | | |
| 50031 | 8201 | 6013 | 88080 | \$113,812.23 |
| 50031 | 8201 | 6013 | 88070 | 53,558.69 |
| TOTAL COST (including tax) | | | | \$167,370.92 |

Form 336, P/E No. 82050, Ref. Nos. AO-5 and URO-4. Total of 16 units.

| Fund | Dept. | Acct. | Job Order | Amount |
|----------------------------|-------|-------|-----------|--------------|
| Courtesy Chevrolet | | | | |
| 50031 | 8201 | 6013 | 88090 | \$ 55,993.08 |
| 50031 | 8201 | 6013 | 88080 | 42,554.74 |
| 50031 | 8201 | 6013 | 88070 | 13,438.34 |
| TOTAL COST (including tax) | | | | \$111,986.16 |

Form 336, P/E No. 82050, Ref. Nos. AO-8, URO-7 and LRO-37. Total of 8 units.

| Fund | Dept. | Acct. | Job Order | Amount |
|----------------------------|-------|-------|-----------|--------------|
| Garden Grove Dodge | | | | |
| 50031 | 8201 | 6013 | 88090 | \$314,333.56 |
| 50031 | 8201 | 6013 | 88080 | 55,008.37 |
| 50031 | 8201 | 6013 | 88070 | 23,575.02 |
| TOTAL COST (including tax) | | | | \$392,916.95 |

Form 336, P/E No. 82050, Ref. Nos. AO-15, URO-16 and LRO-8. Total of 29 units.

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Aud. Cert. 9100313.

FILE LOCATION: CONT-Purchase Kearny Mesa Dodge, Courtesy
Chevrolet, Garden Grove Dodge
CONTFY91-3

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-91-542) ADOPTED AS RESOLUTION R-276746

19901029

Inviting bids for the Modification of Traffic Signal at La Jolla Village Drive and Regents Road on Work Order No. 119216; accepting the contribution of \$29,000 by San Diego Gas and Electric for the cost of modifying the subject traffic signal; modifying the Fiscal Year 1991 Capital Improvements Program Budget to add CIP-62-295.0, Modification of Traffic Signal at La Jolla Village Drive and Regents Road; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$29,000 from Trust Fund No. 63024 to CIP Trust Fund No. 63022; authorizing the expenditure of an amount not to exceed \$29,000 from Trust Fund No. 63022, CIP-62-295.0, Modification of Traffic Signal at La Jolla Village Drive and Regents Road, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the San Diego Gas and Electric Company. (BID-K1844/91)
(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This Council action modifies the FY 91 Capital Improvements Program by adding the

subject project. This project became necessary when planned traffic signal modifications to be done as part of the widening

of La Jolla Village Drive could not be accomplished because of underground utility conflicts. San Diego Gas and Electric Company agreed to pay \$29,000, the estimated cost of redesign and installation of the traffic signal modification in a location not in conflict with underground utilities.

Aud. Cert. 9100188.

FILE LOCATION: W.O. 119216 CONT - D & H Perry, Inc.
dba Perry Electric CONFY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-91-550) ADOPTED AS RESOLUTION R-276747

19901029

Inviting bids for the Multi-Purpose Court Resurfacing - FY'90 on Work Order No. 119597; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$248,634 from Fund No. 100 for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-K1843/91)

(Mission Bay Park, Ocean Beach, Peninsula, Mira Mesa, Tierrasanta, Mid-City, Clairemont Mesa, Otay Mesa-Nestor, Navajo, Southeast, Skyline/Paradise Hills and Linda Vista Community Areas. Districts-2,4,5,6,7 and 8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for repairs to existing multi-purpose courts at: Mission Bay Park - Mission Bay Athletic Area, Cabrillo Recreation Center, Kearny Mesa Recreation Center, Clairemont Recreation Center, Mesa Verde Neighborhood Park, Colina del Sol Recreation Center, Tierrasanta Recreation Center, Martin Luther King, Jr. Recreation Center, Palm Ridge Neighborhood Park,

Dennis V. Allen Neighborhood Park, Emerald Hills Neighborhood Park, Encanto Recreation Center, Grant Hill Neighborhood Park, and "L" Street Mini Park as well as existing tennis courts at

Clairemont and Encanto Recreations Centers, Emerald Hills Neighborhood Park and Mira Mesa Jr./Sr. High School. The repairs may include patching, leveling, surfacing, sealing, color coating, and line striping as required by the project specifications. These repairs will maintain the courts for continued safe use by the public.

Aud. Cert. 9001093.

FILE LOCATION: W.O. 119597 CONT - ABC Construction Co.,
Inc. CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-110:**

Two actions relative to the Construction of Alvarado
Filtration Plant - Training Facility Phase II:
(Navajo Community Area. District-7.)

Subitem-A: (R-91-537) ADOPTED AS RESOLUTION R-276748

19901029

Inviting bids for the Construction of Alvarado Filtration Plant - Training Facility Phase II on Work Order No. 170281/180241; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer, contingent upon the approval of the Water Utilities Fiscal Year 1991 CIP budget, \$383,364.15 within the Sewerage Utility Revenue Fund No. 41506, from the Unallocated Reserve (70697) to the Sewer Construction Program (70492), Alvarado Filtration Plant -

Training Facility, CIP-46-123.0; authorizing the transfer, contingent upon the approval of the Water Utilities Fiscal Year 1991 CIP budget, of \$554,295.02 within the Water Revenue Fund No. 41502 from the Unallocated Reserve (70679), to the Water Construction Program, (70592), Alvarado Filtration Plant - Training Facility, CIP-73-257.0; authorizing the expenditure of an amount not to exceed \$2,923,668 (\$1,171,600 from the Sewerage Utility Revenue Fund No. 41506, Sewer Construction Program (70492), and \$1,752,068 from the Water Revenue Fund No. 41502, Water

Construction Program (70592), for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1828/91)

Subitem-B: (R-91-538) ADOPTED AS RESOLUTION R-276749

Certifying that EMND-87-0800, dated August 7, 1988, in connection with the Construction of Alvarado Filtration Plant - Training Facility Phase II, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This action is the second phase of a two-phase program to construct the training facility at the Alvarado Filtration Plant. The 15,114-square-foot training facility will provide needed office and training space for the Water Utilities Department Safety and Training program. This phase (Phase II) of construction was previously advertised, and all bids were rejected by the City Council on December 11, 1989, as a result of the low bidder being unsuccessful in establishing a good-faith effort to attain the Equal Opportunity Program goals. Subsequently, the Building Inspection Department adopted the 1988 Uniform Building Code (UBC). On April 23, 1990, the City Council authorized the second amendment to the agreement with Architects Ralph Bradshaw/Richard Bundy & David

Thompson to provide architectural services to redesign the training facility to comply with the 1988 UBC. The award of the phase 1 contract, Rough Grading, was authorized by the City Council on February 13, 1989. Phase 1 is complete.
Aud. Certs. 9001090 and 9100041.
WU-P-90-186.

FILE LOCATION: W.O. 170281/180241 CONT - Kilgallon
Construction Company, Inc. CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

19901029

- * ITEM-111: (R-91-553) ADOPTED AS RESOLUTION R-276750
Inviting bids for the Construction of Storm Drain on Eads Avenue and Friars Road Channelization Signs - Attenuator Assembly on Work Order No. 119356/119634; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$29,420 from Capital Outlay Fund No. 30245, CIP-58-004, Annual Allocation - Miscellaneous Requirement, City Streets, to CIP-62-274, Friars Road Channelization Signs - Attenuator Assembly; authorizing the expenditure of an amount not to exceed \$149,320 (\$110,000 from DIF Fund No. 79514, CIP-11-278, Eads Avenue Drain, and \$39,320 from CIP-62-274, Friars Road Channelization Signs - Attenuator Assembly), for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer

excess budgeted funds, if any, to the appropriate reserves.
(BID-K1853/91)
(La Jolla and Serra Mesa Community Areas. Districts-1
and 5.)

CITY MANAGER SUPPORTING INFORMATION: This project will install a storm drain system on Prospect Street and Eads Avenue by installing storm drain pipe, cleanouts, inlets, and connecting to the existing storm drain in Coast Boulevard. This project will improve the drainage in the La Jolla community area. This project will supplement CIP-62-274, Friars Road Channelization, by providing guardrails at two locations and a traffic attenuator in the Serra Mesa community. The guardrail at location 1 will be installed adjacent to a pole mounted sign on eastbound Friars Road west of Mission Village Drive. The attenuator at location 2 will be installed next to a pole mounted sign on westbound Friars Road at the Mission Village Drive off-ramp. This project will thus enhance motorists' safety on Friars Road.
Aud. Cert. 9100292.

FILE LOCATION: W.O. 119356/119634 CONT - H. S. Excel Corp.
CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-91-552) ADOPTED AS RESOLUTION R-276751

19901029

Inviting bids for the Restoration of Ocean Outfall Intake Structure - Point Loma Wastewater Treatment Plant on Work Order No. 170991; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$307,750 from Sewer Revenue Fund No. 41508, CIP-46-131, Point Loma Ocean Outfall Intake Structure Restoration, for providing funds

for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1852/91)
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for the restoration of the interior of the Ocean Outfall Intake Structure, located at the Point Loma Wastewater Treatment Plant. In August 1989, the City entered into an agreement with Cooper Engineering Associates to perform a complete evaluation of the Ocean Outfall Intake Structure. This study included a determination of the overall adequacy of the structure, internal coating conditions, corrosion effects and seismic stability. This project will repair a portion of the structure and restore the internal coating systems which were found to be deteriorated.

Aud. Cert. 9100171.

WU-P-91-009.

FILE LOCATION: W.O. 170991 CONT - ROCA Construction, Inc. CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-113:**

Three actions relative to the final subdivision map of Mesa del Sol - Unit No. 1, a 58-lot subdivision located adjacent to Black Mountain Road northerly of Galvin Avenue:
(Mira Mesa Community Area. District-6.)

Subitem-A: (R-91-633) ADOPTED AS RESOLUTION R-276752

Authorizing the execution of a Subdivision Improvement Agreement with Shapell Industries, Inc. for the installation and completion of certain public improvements.

Subitem-B: (R-91-632) ADOPTED AS RESOLUTION R-276753

Approving the final map.

Subitem-C: (R-91-634) ADOPTED AS RESOLUTION R-276754

Terminating the Subdivision Improvement Agreement with
Shapell Industries, Inc., subdivider of Mesa del Sol;
releasing Performance Bond No. 2889387, issued by Safeco
Insurance Company of America, guaranteeing the improvement
in the subdivision known as Mesa del Sol.

FILE LOCATION: SUBD-Mesa de Sol - Unit No. 1
CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Two actions relative to the final subdivision map of Mesa
del Sol - Unit No. 2, a 68-lot subdivision located
southeasterly of Capricorn Way and Black Mountain Road:
(Mira Mesa Community Area. District-6.)

Subitem-A: (R-91-636) ADOPTED AS RESOLUTION R-276755

Authorizing the execution of a Subdivision Improvement
Agreement with Shapell Industries, Inc., for the
installation and completion of public improvements.

Subitem-B: (R-91-635) ADOPTED AS RESOLUTION R-276756

Approving the final map.

FILE LOCATION: SUBD-Mesa del Sol - Unit No. 2
CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-115:**

Two actions relative to the final subdivision map of Mesa
del Sol - Unit No. 3, a 103-lot subdivision located
southwesterly of Capricorn Way and Black Mountain Road:
(Mira Mesa Community Area. District-6.)
Subitem-A: (R-91-638) ADOPTED AS RESOLUTION R-276757

Authorizing the execution of a Subdivision Improvement
Agreement with Shapell Industries, Inc. for the
installation and completion of public improvements.
Subitem-B: (R-91-637) ADOPTED AS RESOLUTION R-276758

Approving the final map.

FILE LOCATION: SUBD-Mesa del Sol - Unit No. 3
CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-116:**

Two actions relative to the final subd. map of Mesa del Sol
- Unit No. 4, a 100-lot subdivision located northwesterly
of Capricorn Way and Black Mountain Road:

(Mira Mesa Community Area. District-6.)

Subitem-A: (R-91-640) ADOPTED AS RESOLUTION R-276759

Authorizing the execution of a Subdivision Improvement
Agreement with Shapell Industries, Inc. for the
installation and completion of public improvements.

Subitem-B: (R-91-639) ADOPTED AS RESOLUTION R-276760

Approving the final map.

FILE LOCATION: SUBD-Mesa del Sol - Unit No. 4 CONT
FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117:

Two actions relative to the final subdivision map of Mesa
del Sol - Unit No. 5, a 2-lot subdivision located
northeasterly of Galvin Avenue and Black Mountain Road:
(Mira Mesa Community Area. District-6.)

Subitem-A: (R-91-642) ADOPTED AS RESOLUTION R-276761

Authorizing the execution of a Subdivision Improvement
Agreement with Shapell Industries, Inc. for the
installation and completion of public improvements.

Subitem-B: (R-91-641) ADOPTED AS RESOLUTION R-276762

Approving the final map.

FILE LOCATION: SUBD-Mesa del Sol - Unit No. 5
CONTFY91-1

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-91-613)ADOPTED AS RESOLUTION R-276763

Approving the acceptance by the City Manager of a grant
deed of Clyde T. Stahl and Margaret J. Stahl, granting to
the City an easement for public street purposes in a
portion of Lot 9 of the Resubdivision of a part of Rosemont
Addition to Encanto Heights, Map-1240; dedicating said land
as and for a public street and naming the same Radio Drive.
(Southeast San Diego Community Area. District-4.)

FILE LOCATION: DEED F-5418 Deed FY91-1

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-91-621) ADOPTED AS RESOLUTION R-276764

Approving the acceptance by the City Manager of a grant
deed of Luis Magallon and Ofelia M. Magallon, granting to
the City an easement for public street purposes in Lot 1,
Block 3 of Resubdivision of Lot "A" 1, 3, 4, 5, 6, 8, 9,
10, 11, 12, 13, 14, 15 and 16 of Block 3 of Harris Palm
Tract, Map-1591; dedicating the land as and for a public
street and naming the same Harris Avenue.
(Otay Mesa-Nestor Community Area. District-8.)

FILE LOCATION: DEED F-5419 Deed FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-91-614) ADOPTED AS RESOLUTION R-276765

Approving the acceptance by the City Manager of an easement deed of Carmel Valley Partners I, granting to the City an easement for public street purposes in a portion of Parcel 1 of Parcel Map PM-15957; dedicating the land as and for a public street and naming the same El Camino Real.
(North City West Community Area. District-1.)

FILE LOCATION: DEED F-5420 Deed FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-91-595) ADOPTED AS RESOLUTION R-276766

Approving the acceptance by the City Manager of the deed of Regent Garden Associates, conveying to the City a water easement in portions of Parcels 1 and 4 of Parcel Map PM-14037; quitclaim deed, quitclaiming to Regent Garden Associates, all of the City's right, title and interest in the water easement in portions of Parcels 1 and 4 of Parcel Map-14037.
(University North Community Area. District-1.)

FILE LOCATION: DEED F-5421 Deed FY91-2

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-91-596) ADOPTED AS RESOLUTION R-276767

Authorizing the City Manager to execute a quitclaim deed, quitclaiming to Pardee Construction Company all of the City's right, title and interest in the building restricted easements in N.C.W. Neighborhood 7 Unit No. 6C, Map-12121, in exchange for building restricted easements granted to the City on Parcel Map PM-16145.
(North City West Community Area. District-1.)

FILE LOCATION: DEED F-5422 Deed FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-123:

Two actions relative to water easement exchanges:
(Located northeasterly of North Torrey Pines Road and Callan Road. Torrey Pines Community Area. District-1.)

Subitem-A: (R-91-615) ADOPTED AS RESOLUTION R-276768

Authorizing the City Manager to execute a quitclaim deed, quitclaiming to Nexus Centre/Torrey Pines Associates all of the City's right, title and interest in the water easement in Parcels 1 and 2 of Parcel Map PM-15700.

Subitem-B: (R-91-616) ADOPTED AS RESOLUTION R-276769

Approving the acceptance by the City Manager of a deed of Balit Torrey Pines Incorporated, conveying to the City a water easement in a portion of Parcel 2 of Parcel Map PM-14129; authorizing the execution of a quitclaim deed, quitclaiming to Balit Torrey Pines Incorporated all of the City's right, title and interest in the water easement in Parcel 2 of Parcel Map PM-14129.

FILE LOCATION: DEED F-5423, F-5424 Deed FY91-3

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-91-619) ADOPTED AS RESOLUTION R-276770

Vacating the City's interest in an unneeded sewer easement affecting Lot 40 of Avalon Heights, Map-1600, pursuant to Section 8300 et seq. of the Streets and Highways Code. (Uptown Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: An application from the affected property owners has been received by the Engineering & Development Department for abandonment of a sewer easement that

encumbers property north of Arcadia Drive, northwesterly of Court Way in the Uptown area. The easement was acquired by the City of San Diego at no cost in 1925. That portion of the easement to be abandoned has never been used and the application for the abandonment has been reviewed by all affected City departments. All have concluded that there is no present or prospective public need for the easement; therefore, abandonment is recommended. Also, per Council Policy 600-15, the abandonment has been reviewed by the Uptown Planners Community Group and it has no objection to the abandonment.

FILE LOCATION: DEED F-5425 Deed FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-125:**

Two actions relative to the abandonment of Portions of Slope and Drainage Easements in Lot 8, Mission City Unit 3: (Mission Valley Community Area. District-5.)

Subitem-A: (R-91-643) ADOPTED AS RESOLUTION R-276771

Authorizing the sale by negotiation of slope and drainage easements in Lot 8, Mission City Unit 3, Map-11677 in the amount of \$177,300 to Henry F. Hunt and Letitia H. Swortwood the above easements; authorizing the execution of a quitclaim deed, quitclaiming to Henry F. Hunt and Letitia H. Swortwood the above easements; declaring that no broker's commission shall be paid by the City on the negotiated sale.

Subitem-B: (R-91-647) ADOPTED AS RESOLUTION R-276772

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0979, in connection with Lot 8 of Mission City Unit 3, Map-11677, together with any comments received during the public review process, has been completed in compliance with the California

Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and State guidelines, (California Administrative Code Section 15000 et seq.), and that said report has been reviewed and considered by the Council; declaring that the Council finds, based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment.

CITY MANAGER SUPPORTING INFORMATION: The Engineering & Development Division has received an application from the owners and developers of the proposed planned residential development "Montecito at Mission City" project located north of Friars Road and east of Northside Drive in Mission Valley, to abandon portions of slope and drainage easements to provide a clear title to their proposed project. The subject easements have been reviewed by all concerned departments and all have concluded there is no present or prospective public need for the easements. Therefore, abandonment is recommended. Those portions of easements to be abandoned are exempt from the local community planning group review by Resolution R-275710, adopted May 14, 1990.

FILE LOCATION: DEED F-5426 Deed FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126: (R-91-626) ADOPTED AS RESOLUTION R-276773

Authorizing Suggestion Awards to the following City employees:

Gloria Esparza - Purchasing Department - \$118.85.

Jean M. Doucette - Police Department/Traffic - \$90.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-127: (R-91-628) ADOPTED AS RESOLUTION R-276774**

Excusing Councilmember Linda Bernhardt from attending the following regularly scheduled meetings:

1. Housing Commission meeting of July 16, 1990, for the purpose of attending to other City business.
2. Public Services and Safety Committee meeting of September 5, 1990, due to personal business.
3. Transportation and Land Use Committee meeting of September 24, 1990, due to personal business.
4. Council meetings of October 8 and 9, 1990; Transportation and Land Use Committee meeting of October 8, 1990; and the Special Council meeting of October 10, 1990, for the purpose of attending the National Association of Housing and Redevelopment Officials (NAHRO) Conference in Minneapolis, as the Chair of the City of San Diego Housing Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-128: (R-91-604) ADOPTED AS RESOLUTION R-276775**

Excusing Councilmember Wes Pratt from attending a portion of the regularly scheduled Council meeting of Monday,

October 1, 1990 and from the regularly scheduled Council meetings of Tuesday, October 2, 1990, due to illness; excusing Councilmember Wes Pratt from attending the regularly scheduled Council meeting on Tuesday, October 9, 1990, due to out of town City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-129: (R-91-513) ADOPTED AS RESOLUTION R-276776

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$30,000 from Water Revenue Fund 41502, Unallocated Reserve (70679) to Water Operations Fund, Water Production General Program Expense (70316); authorizing the expenditure of said amount for payment of consultant services on the County of San Diego's Upper San Diego River Improvement Project (USDRIP) as invoices are approved by the City Manager.
(See City Manager Report CMR-90-413. Lakeside Community Area.)

COMMITTEE ACTION: Reviewed by PFR on 10/10/90. Recommendation to approve the City Manager's recommendation to authorize the expenditure of funds for the Riverway Specific Plan and approve the transfer of funds to the Water Operating Fund. Districts 1, 3, 6 and 8 voted yea. District 7 not present.
Aud. Cert. 9100213.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-130: (R-91-598) ADOPTED AS RESOLUTION R-276777

Authorizing the City Auditor and Comptroller to accept \$236,800 in TransNet funds awarded per SANDAG Resolution R-90-39 and \$63,200 in Transportation Development Act (TDA)

funds awarded per SANDAG Resolution R-91-2; modifying Fiscal Year 1991, Capital Improvements Program, Annual Appropriations Budget, Ordinance O-17504, by the addition of the following projects: 1) SR-52 Bike Path, CIP-58-086.0 and 2) Sail Bay Bike Path Bridge, CIP-58-087.0; authorizing the transfer of an amount not to exceed \$50,000 from TDA funds, Fund 39005 to Bicycle Detector Loops, CIP-58-079.0; authorizing the expenditure of an amount not to exceed \$63,200 from TDA funds, Fund 39005 and \$36,800 in TransNet funds, Fund 30300, for the purpose of providing funds for Secure Storage Facilities and Bicycle Safety Education.

CITY MANAGER SUPPORTING INFORMATION: On June 22, 1990, the SANDAG Board of Directors allocated \$236,800 in TransNet funds to the City of San Diego for the following bicycle projects: 1) Sail Bay Bike Path Bridge, CIP-58-087.0, \$200,000; 2) Bicycle Safety Education, \$36,800. On July 27, 1990 the SANDAG Board of Directors allocated \$163,200 in TDA funds to the City of San Diego, for the following bicycle projects: 1) Bicycle Detector Loops (Citywide), CIP-58-079.0, \$50,000; 2) SR-52 Bike Path (Convoy Street to Kearny Villa Road), CIP-58-086.0, \$50,000; 3) Secure Storage Facilities (Citywide), \$50,000; 4) Bicycle Safety Education, \$13,200.
Aud. Cert. 9100272.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-131: (R-91-670) ADOPTED AS RESOLUTION R-276778

Authorizing the City Auditor and Comptroller to transfer a sum not to exceed \$1,820 from the General Fund 100, Unallocated Reserve (605) to the Allocated Reserve (901), for the purpose of waiving fees for the use of the

Convention and Performing Arts Center (CPAC) Plaza Hall,
for the "Homeless Children's Holiday Season Party";
authorizing the City Auditor and Comptroller to pay CPAC
the sum of fees waived for the above purpose.
(See Committee Consultant Analysis PFR-90-20.)

COMMITTEE ACTION: Initiated by PFR on 10/10/90. Recommendation
to refer to Council without a recommendation. Districts 3, 6
and 8 voted yea. Districts 1 and 7 not present.
Aud. Cert. 9100315.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-132: (R-91-603) ADOPTED AS RESOLUTION R-276779

Authorizing the City Manager to accept funding for the
Police Department Crime Analysis Section's Drug Market
Analysis grant proposal from the National Institute of
Justice; declaring that the liability arising out of the
performance of this grant award agreement, including civil
court action for damages, shall be the responsibility of
the grant recipient and the authorizing agency; the
National Institute of Justice disclaims responsibility for
any such liability.

CITY MANAGER SUPPORTING INFORMATION: The National Institute
of Justice has selected a grant proposal developed cooperatively
by the Police Department Crime Analysis Section and Grants
Section for funding in the amount of approximately \$450,000.
The grant will pay for personnel and computer equipment to
develop a Drug Market Analysis program, and for research and
evaluation of the program. This program will be designed to
develop a real-time information system for narcotics enforcement

operations, and to analyze the effectiveness of enforcement strategies and tactics. Once implemented the program will permit us to maintain detailed, timely information on drug activity, compare the effectiveness of various enforcement techniques, and study and anticipate the displacement effects of enforcement activity. The program will enable us to maximize the effectiveness of our limited enforcement resources through the use of advanced technology and enhanced planning capabilities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-133: (R-91-597) ADOPTED AS RESOLUTION R-276780

Authorizing the City Manager to enter into a reimbursement agreement with Pardee Construction Company for FBA credits or cash reimbursements in exchange for the construction of a Class I bicycle lane along the southerly right-of-way of Poway Road.

(Sabre Springs Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On June 19, 1990 by Resolution R-275927, the City Council of the City of San Diego adopted the revised Sabre Springs Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for the proposed development of the real property owned by Pardee Construction Company and others in the area known as Sabre Springs. As the major property owner and developer in Sabre Springs, Pardee is to provide substantial public improvements for that area. This Reimbursement Agreement has been prepared in conjunction with Project No. 38, as described in the Sabre Springs FBA. The City and Pardee desire the completion of the class I bicycle lane along Poway Road, as shown the following set of plans: "Plans for the Improvement of Bicycle Path Along Poway Road," according

to Drawing No.24237-D. This set of plans has been previously approved by the City's Engineering and Development Department. The City, through the FBA program, had the design and construction of the project scheduled for completion during

Fiscal Year 1991 and reimbursement in its program budget for Fiscal Years 1992 and 1993. The proposed agreement provides that Pardee advance the total cost for design and construction of the project. The estimated total cost including, but not limited to, construction costs, design services, engineering, professional services, grading, soils testing, surveying, project administration, insurance, bonds, and all other fees and charges is currently estimated to be \$700,000. The agreement provides that the City will either grant FBA credits to Pardee for the actual costs incurred, not to exceed the above estimated total cost, or will grant cash reimbursement to Pardee should there not be any lots left on which to receive FBA credits. If FBA credits are granted, they will be applied to future FBA charges applicable to building permits on lots within the Sabre Springs Facilities Benefit Assessment District. Pardee will only be eligible for cash reimbursements if there are sufficient monies available on deposit in the FBA fund for Sabre Springs.

FILE LOCATION: STRT FB-9 CONT FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-134: (R-91-601) ADOPTED AS RESOLUTION R-276781

Authorizing the execution of a first amendment to the agreement with Federhart and Associates to provide additional funding of \$50,000 to extend their existing contract to provide Traffic Engineering Consultant Services, as needed, for the Water Utilities Department; authorizing the additional expenditure of an amount not to

exceed \$50,000 consisting of \$25,000 from the Water Operating Fund (No. 41500), Water Operation Engineering Program (No. 70830); and \$25,000 from the Sewer Revenue Fund (No. 41506), Sewer Operation Engineering Program (No. 70820), for the purpose of providing funds for the above amendment.

CITY MANAGER SUPPORTING INFORMATION: On May 30, 1989, the City entered into an agreement with Federhart & Associates, Document No. RR-273589, to provide traffic engineering consultant services for the Water Utilities Department on an as-needed

basis. The agreement provides for services by task order with each task not to exceed \$10,000 and the total contract not to exceed \$50,000, with the option that the agreement could be extended for an additional year under the same terms and conditions. The City has reached the \$50,000 limit on Federhart & Associates' agreement due to 11 tasks that have been performed. These tasks have consisted of the development of construction zone traffic control plans for City related water and sewer main replacement projects. The requested action will amend the existing agreement to increase the task limit to \$15,000 and to provide for the extension of Federhart & Associates' agreement for one year with an additional allocation of \$50,000.

Aud. Cert. 9100195.

WU-U-90-193.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-135: (R-91-620) ADOPTED AS RESOLUTION R-276782

Authorizing the execution of a three-year Use and Occupancy Permit (with a three-year renewal option) with Petrolane

Gas Service, for approximately 5,000 square feet of property located at Kearny Mesa Road and Magnatron Boulevard for the storage of four 1,150-gallon, aboveground LPG tanks for servicing contract customers, at an initial monthly rent of \$1,900.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: In 1987 the City Manager authorized execution of a three-year Use and Occupancy Permit with the Petrolane Gas Service for approximately 5,000 square feet of the subject City-owned site. Rent under this permit is \$500 per month and terminates November 20, 1990. The site is now blacktopped and contains four 1,150-gallon aboveground LPG gas tanks. The site remains clean and is only used to replenish

servicing trucks for the San Diego area users of their products. With this action the Use and Occupancy Permit will be extended three years with a three-year renewal option. The rent has been increased to \$1900 per month with CPI increases annually. All other terms and conditions of the Permit will remain unchanged.

FILE LOCATION: LEAS-Petrolane Gas Service Leas FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-136: (R-91-463) ADOPTED AS RESOLUTION R-276783

Authorizing the execution of an agreement with City Heights Community Development Corporation for the State Route 15 Implementation Study, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the City Auditor and Comptroller to expend an amount not to exceed \$175,000 from Fund 18526, Department 5896, Org. 9601, for the purpose of providing funds for the above project.

(District-3.)

CITY MANAGER SUPPORTING INFORMATION: Council approved, as part of the FY 1991 Community Development Block Grant budget, a subgrantee allocation of \$175,000 to the City Heights Community Development Corporation (CHCDC) for the preparation of a State Route 15 Implementation Study. This item is to establish a contract between the City and CHCDC for carrying out the study. The proposed study is to be conducted by a multi-disciplinary consultant team and to be reviewed by a blue ribbon committee comprised of nationally recognized developers and designers and local authorities on freeway engineering, design and redevelopment. The study would analyze alternatives for redeveloping the freeway corridor and surrounding area in terms of finance, market feasibility, land use compatibility, design and engineering issues. The aim of the study is to identify a feasible alternative for redeveloping the area while maximizing the amount of freeway cover and minimizing negative impacts of the freeway project on the surrounding community.

Aud. Cert. 9100216.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-137: (R-91-630) ADOPTED AS RESOLUTION R-276784

Authorizing the execution of an agreement with the San Diego Bowl Association for Partial Use and Occupancy of San Diego Jack Murphy Stadium.

CITY MANAGER SUPPORTING INFORMATION: On December 8, 1980, the City and San Diego Bowl Game Association entered into a 10-year agreement to conduct the Holiday Bowl game at San Diego Jack Murphy Stadium. The Holiday Bowl game has been highly

successful and financially beneficial to the City and Stadium. For example, in FY 1990 the Stadium received over \$130,000 from the event. Therefore, the City and Association have negotiated a new agreement which permits the Holiday Bowl game to be played at the Stadium for the next five years. The five-year term of the agreement will coincide with their current office lease at the Stadium. Other major points in the new agreement are as follows: rent will be 1/2 percent of game generated revenues or \$5,000, whichever is greater; Stadium receives all parking and food concession revenues; parking fees will be increased from \$3 to \$5 per car; the Association will pay for all Police and Fire department costs including traffic controllers; and the Association will pay 10 percent of TV revenues if the game is shown live and less than 56,000 tickets have been sold. The Stadium Authority Board of Governors at their June 7, 1990 meeting unanimously recommended approval of the agreement. NOTE: See Items 138 and 139 for companion items.

FILE LOCATION: LEAS-San Diego Bowl Association Leas
FY91-1

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-138: (R-91-618) ADOPTED AS RESOLUTION R-276785

Increasing the parking fee at San Diego Jack Murphy Stadium
for special events, (defined in as once a year activities
at the Stadium) from \$3.00 to \$5.00.

CITY MANAGER SUPPORTING INFORMATION: It is recommended that
the special event parking fee which is currently \$3.00 per car
should be increased to \$5.00 per car. Special events are
defined as a once a year activity inside the Stadium. These
events currently include the Mud Bog, Off-Road Show, Supercross,
Holiday Bowl, and concerts. Increasing this fee could help in

negotiating with promoters for more events in the Stadium, i.e., splitting a share of the revenues, and the higher fee could encourage more car pooling and bus ridership. The \$5.00 fee would be in line with the special event fee charged at Anaheim Stadium and parking rates at other major stadiums. The proposed new agreement for the Holiday Bowl includes the requirement to charge \$5.00 for parking. This increase will help reduce the subsidy of the Stadium budget from the Midway/Sports Arena Leases. The Stadium Authority Board of Governors at their June 7, 1990, meeting unanimously recommended approval of the new fee.

NOTE: See Items 137 and 139 for companion items.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B275-423.)

MOTION BY FILNER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

* ITEM-139: (R-91-629) ADOPTED AS RESOLUTION R-276786

Authorizing the execution of a Memorandum of Understanding with the San Diego Bowl Association for organizing and conducting the Holiday Bowl games.

CITY MANAGER SUPPORTING INFORMATION: The City Manager and San Diego Bowl Game Association have negotiated a new 5-year agreement, subject to Council approval, to conduct the Holiday Bowl game at San Diego Jack Murphy Stadium. The Association has also requested that they receive Transient Occupancy Tax (T.O.T.) funding in the amount of \$250,000 per year for the term of the agreement. The Association has received T.O.T. funding from the City since 1987. These funds allow the Association to sponsor a high quality college bowl game by helping the Association bring in better teams which results in a more successful game. The City benefits from greater publicity during the national telecast of the game and increased game revenues. A long term contract for T.O.T. funding should

enhance the Association's ability to obtain more advantageous and lucrative television contracts. The proposed agreement provides that the Association would continue to receive its current level of support through Fiscal Year 1994 subject to funding availability and annual City Council approval. The agreement also allows the Council to increase this allocation as it deems appropriate to account for inflation.

NOTE: See Items 137 and 138 for companion items.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-140: (R-91-644) ADOPTED AS RESOLUTION R-276787

Approving Change Order No. 4, dated July 30, 1990, issued in connection with the contract with Marathon Construction, for rehabilitation of the Ocean Beach Municipal Fishing Pier, amounting to a net increase in the contract price of \$212,236.90; approving Change Order No. 6, dated October 4, 1990, issued in connection with the above contract, amounting to a net increase in the contract price of

\$41,878; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$100,000 from Capital Outlay Fund 30244, CIP-90-245.0, Capital Outlay - Unallocated Reserve, Capital Outlay Other Reserve Fund 302453 to CIP-29-600.0, Ocean Beach Pier Rehabilitation, for the above purpose.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On October 31, 1989, a contract was awarded to Marathon Construction Corporation for rehabilitation of the Ocean Beach Municipal Fishing Pier. The project is now approximately 90 percent complete. Change Order No. 4 increases the quantities of two contract items which are

substantially greater than the original estimate by the City's consultant. It is now estimated that the pier deck underside spall repair quantity will increase by 80 percent and the pile cap spall repair will increase by 65 percent in order to complete the rehabilitation work. Spalls are loose unsound areas of concrete which have either fallen away or are likely to do so. This allows corrosive salt water/air to destroy the underlying exposed reinforcing steel. Quantity estimates for these items were made by visual inspection two years ago and were based on concrete missing at that time and the external condition of the remaining concrete. When the contractor began removing the loose concrete, it was found that the damaged areas were much greater than the visual inspection had indicated. Change Order No. 6 adds two additional piles (columns supporting the pier deck) requiring an encapsulation repair procedure. This repair was previously approved by City Council for 14 piles in the beach and tidal zone area as Change Order No 3. Pier repair work wherein deteriorated concrete is removed has revealed the need for this encapsulation repair on two additional piles.
Aud. Cert. 9100314.

FILE LOCATION: CONT-Marathon Construction Corporation
CONT FY91-1

COUNCIL ACTION: (Tape location: B191-444.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200:

(Continued from the meeting of October 15, 1990, Item 200, at Councilmember Roberts' request, for further review.)
Two actions relative to Growth Management:

Subitem-A: (O-91-62) INTRODUCED, TO BE ADOPTED NOVEMBER 13, 1990.

Introduction of an Ordinance amending Chapter X, Article 1, Division 2, of the San Diego Municipal Code by adding Section 101.0270, relating to Land Development; providing for the review of the Fiscal Impacts of Developments; providing definitions; providing for the effect of this ordinance on other ordinances and regulations; providing for an effective date.

Subitem-B: (O-91-63) INTRODUCED AS AMENDED, TO BE ADOPTED NOVEMBER 13, 1990

Introduction of an Ordinance amending Chapter X, Article 1, Division 2 of the San Diego Municipal Code by amending Section 101.0260, relating to Interim Development Control.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B423-D181.)

MOTION BY BERNHARDT TO INTRODUCE ORDINANCE, AS AMENDED, AS FOLLOWS: PAGE 2, ITEM #5, DELETE THE WORDS "APPLICATIONS" AND "ACCEPTED" TO NOW READ "PROJECTS FOR WHICH ALL REQUIRED DISCRETIONARY PERMITS HAVE BEEN APPROVED AND RECORDED AND/OR FOR

WHICH BUILDING PERMITS HAVE BEEN ISSUED PRIOR TO THE FIRST DATE OF NOTICE BY PUBLICATION PURSUANT TO SECTION G. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-nay, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-91-105) CONTINUED TO NOVEMBER 26, 1990

(Continued from the meetings of July 30, 1990, Item 108, September 17, 1990, Item 204 and October 1, 1990, Item 202; last continued at Jack McGrory's request, to consider additional financial sources.)
Authorizing the Building Inspection Department of the City of San Diego to send notice to the State Department of

Housing and Community Development cancelling its assumption of responsibility to enforce the Mobilehome Parks Act, Sections 18300 California Health and Safety Code; rescinding Resolution R-167996.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego acquired the enforcement authority of mobilehomes and mobilehome parks from the State of California on October 13, 1961 by means of Resolution No. R-167996, passed by Council on the same date. The maintenance of the mobilehome park inspection program and the enforcement of State laws has been supported largely by non related revenues. Because the revenues we are allowed to collect are limited by State law, we are unable to make mobilehome inspection cost fully recoverable. The 1990 Fiscal Year budget for the mobilehome program was \$112,991. This did not include non-personnel expenses. The revenues collected from mobilehome permits and annual mobilehome park fees were \$19,656. This amounts to \$93,335 in non recoverable costs. Section 1006 of the California Title 25 code of regulation allows the former enforcement agency to retain the full amount of fees collected (\$19,656) if State assumption of jurisdiction is after July 1st of that year.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A133-175.)

MOTION BY FILNER TO CONTINUE UNTIL NOVEMBER 26, 1990, AT THE REQUEST OF THE CITY MANAGER, AS IT WILL BE HEARD BEFORE THE HOUSING COMMISSION ON NOVEMBER 5, 1990. Second by Wolfsheimer.
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-91-269) TRAILED TO OCTOBER 30, 1990

(Continued from the meetings of August 6, 1990, Item S423, September 18, 1990, Item 336, October 2, 1990, Item 332, October 9, 1990, Item S500 and trailed from October 15, 1990, taken on October 16, 1990, Item S420; last continued at the City Manager's request, due to lack of time.)

Confirming the following appointments by the Mayor to serve as trustees of the Housing Trust Fund, to represent categories as shown, for terms to expire as indicated:

| Name | Category | Term Expires |
|------------------------|----------------------------------|----------------|
| Linda Lopez | Business & Industry | August 5, 1993 |
| Jerold H. Goldberg | Business & Industry | August 5, 1993 |
| Alice Smith | Labor - minimum wage worker | August 5, 1993 |
| Sister RayMonda DuVall | Nonprofit/Community Organization | August 5, 1993 |
| Rev. Walter G. Wells | Nonprofit/Community Organization | August 5, 1993 |
| Mark P. Krones | Business & Industry | August 5, 1992 |
| Kathy Recordon | Business & Industry | August 5, 1992 |
| Nick Hernandez | Labor | August 5, 1992 |
| James Ridley | Nonprofit/Community Organization | August 5, 1992 |
| Jean E. Porter | Nonprofit/Community Organization | August 5, 1992 |
| James Mitsuo Cua | Nonprofit/Community Organization | August 5, 1992 |

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E062-112.)

MOTION BY HENDERSON TO TRAIL TO OCTOBER 30, 1990, AT THE REQUEST OF MAYOR O'CONNOR FOR TIME TO CONFER WITH COUNCIL MEMBER PRATT ON THE SUBSTITUTIONS. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-91-669) ADOPTED AS RESOLUTION R-276788

Consideration of the following nominees for appointment by the Council to fill one vacancy on the City Employees Retirement System Board of Administration, to replace Robert Butterfield, who has resigned:

| | |
|--------------------|-----------------------|
| NOMINEE | NOMINATED BY: |
| Osborn L. Hurston | Councilmember McCarty |
| Robert J. Scannell | Councilmember Filner |

Adoption of a Resolution making one appointment, for a term to expire December 7, 1991.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D208-560.)

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Hurston-2,4,6,7,M; Scannell-1,3,5,8.

MOTION BY McCARTY TO CONFIRM THE APPOINTMENT OF OSBORN L. HURSTON. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-204: (R-91-668) ADOPTED AS RESOLUTION R-276789

Council confirmation of the reappointments by the Mayor of Patricia K. Miller, Edward A. Marshall and Elliot Jay Schulnick, to serve as members of the La Jolla Shores Planned District Advisory Board, for terms ending April 1, 1992.

(See memorandum from Mayor O'Connor dated 10/18/90.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-91-667) ADOPTED AS RESOLUTION R-276790

Confirming the appointment by the Mayor of David Tamayo to serve as a member of the Waste Management Advisory Board, for a term ending October 1, 1992, to replace Recuerdo A. Rosete, who has resigned.
(See memorandum from Mayor O'Connor dated 10/18/90 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-91-671) ADOPTED AS RESOLUTION R-276791

Council confirmation of the appointment by the Mayor of Randy Hanson, to serve as a member of the Agricultural Board, in Farmer-Tree/Vine Interest category, for a term to expire January 1, 1991, to replace Kenneth Knust, whose term has expired.
(See memorandum from Mayor O'Connor dated 10/18/90 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B191-444.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Oct-29-1990

ITEM-207: TRAILED TO TUESDAY, OCTOBER 31, 1990

(Continued from the meeting of October 2, 1990, Item 701, October 8, 1990, Item 204, and trailed from October 15, 1990, taken on October 16, 1990, Item S417; last continued at the City Manager's request, due to lack of time.)
In the matter of discussion on docketing procedures.
(See memo from the City Attorney and City Clerk dated 10/16/90; and City Clerk memos dated 10/11/90, and 10/1/90.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F400-G144.)
MOTION BY WOLFSHEIMER TO TRAIL TO SPECIAL MEETING OF OCTOBER 31, 1990. Second by Hartley. Passed by the following vote:
Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-208:
(Continued from the meeting of October 16, 1990, Item S501, at the City Manager's request, because the first hearing was trailed from Monday, 10/15/90, and held on 10/16/90.)
Two actions relative to the Drug Abatement and Housing Inspection Program:
(See City Manager Reports CMR-90-442, CMR-90-441 and CMR-90-396; and Committee Consultant memorandum dated 10/9/90.)

Subitem-A: (O-91-65) INTRODUCED AND ADOPTED AS ORDINANCE
 O-17545 (New Series)

Introduction and adoption of Ordinance amending Ordinance O-17504-1 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of

San Diego for said Fiscal Year" by amending Document No. 00-17504-1, as amended and adopted therein, by amending the personnel authorization of the Building Inspection Department (1300), Enterprise Fund 41300, by adding two Building Inspector II positions, one Word Processing Operator, and two Clerical Assistant II positions; authorizing the City Auditor and Comptroller to increase the Building Inspection Enterprise Fund 41300 by \$277,995 to accommodate cost of additional positions, said funds to come from recovered fees in the Full Cost Recovery Housing Inspection Program and Full Time Drug Abatement Program.

Subitem-B: (O-91-69) INTRODUCED AND ADOPTED AS ORDINANCE
O-17546 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17504-1, as amended and adopted therein, by amending the personnel authorizations of the City Attorney's Department (045) and the Police Department (110)

by adding one-half Deputy City Attorney's position, one Legal Assistant, and one Legal Secretary to the City Attorney's Department (045) and one Police Officer II/Detective to the Police Department (110); authorizing the City Auditor and Comptroller to increase the General Fund 100 by \$230,894 for the purpose of implementing an expanded Drug Abatement Program to be allocated as follows: To the City Attorney's Department (045) - \$114,132 Personnel \$38,439 and Non-Personnel and Police Department (110) - \$58,289 Personnel and \$20,034 Non-Personnel; to defray costs of additional positions, the \$230,894 is to come from a surcharge on the Housing Permit Fee and to be deposited initially into General Fund 100 Revenue Account 77230 for the above purpose.

COMMITTEE ACTION: Initiated by PSS on 9/19/90. Recommendation to approve the City Manager's recommendations detailed in CMR-90-396 with three amendments: 1) Recommended expansion of Drug Abatement Program; 2) implementation of a full cost recoverable Housing Inspection Program by the end of 1990; and 3) creation of a Public Services and Safety Committee Task Force. Districts 3, 4 and 5 voted yea. Districts 2 and 7 not present.

Aud. Certs. 9100291 and 9100299.

NOTE: The first public hearing was held on Tuesday, October 16, 1990. Today's action is the second public hearing for the introduction and adoption of the Ordinances.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E314-437.)

MOTION BY PRATT TO INTRODUCE AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-209: (O-91-61) TRAILED TO OCTOBER 30, 1990

First public hearing in the matter of:
Amending Ordinance No. O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17504-1, as amended and adopted therein, by exempting one Deputy Director position from the Classified Service; amending the personnel authorization schedule of the Water Utilities Department (700) Clean Water Program (70711) to reflect the position as Unclassified; and establishing a salary rate.

CITY MANAGER SUPPORTING INFORMATION: This Ordinance will create the Clean Water Program Deputy Director for Construction Management and will exempt this position from the Classified Service. This action will facilitate implementation of the

Clean Water Program. The Deputy Director for Construction Management for the Clean Water Program will be responsible for construction of all projects connected with the expansion and upgrade of the Metropolitan Sewerage System.

WU-CWP-91-041.

NOTE: See Item 337 on the docket of Tuesday, October 30, 1990 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D592-E010.)

MOTION BY PRATT TO TRAIL TO OCTOBER 30, 1990 IN ORDER FOR CITY MANAGER TO PROVIDE COUNCIL WITH A PERSONNEL REPORT ON THE NUMBER

OF CLASSIFIED/UNCLASSIFIED POSITIONS IN THE CITY. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-210: (O-91-68) TRAILED TO OCTOBER 30, 1990

First public hearing in the matter of:

Amending Ordinance No. O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17504-1, as amended and adopted therein, by amending the personnel authorization of the Water Utilities Department (41500) Engineering Division to delete one Senior Drafting Aide position and add in lieu thereof one Assistant Deputy Director position; exempting the Assistant Deputy Director from the Classified Service; and establishing a salary rate.

CITY MANAGER SUPPORTING INFORMATION: This Ordinance will exempt an Assistant Deputy Director from the Classified Service.

This action will provide the Water Utilities Engineering Division with enhanced administrative capabilities, to ensure timely and appropriate implementation of all engineering responsibilities. The Division is responsible for Capital

Improvements Program planning, design of replacement and expansion of water and wastewater projects, and contract construction of water and sewer facilities. The annual

allocation for the Capital Improvements Program is \$125,000,000. At present the work effort is overseen solely by a Deputy Director. The Civil Service Commission reviewed this request pursuant to Charter Section 117 on September 6, 1990, and approved the proposed exemption.

WU-U-91-010.

NOTE: See Item 338 on the docket of Tuesday, October 30, 1990 for the introduction and adoption of the Ordinance.

FILE LOCATION:

COUNCIL ACTION: (Tape location: D592-E010.)

MOTION BY PRATT TO TRAIL TO OCTOBER 30, 1990 IN ORDER FOR THE CITY MANAGER TO PROVIDE A PERSONNEL REPORT TO COUNCIL ON CLASSIFIED/UNCLASSIFIED POSITION IN THE CITY. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-211: (R-91-631) ADOPTED AS RESOLUTION R-276792

Request to initiate an amendment to the Mira Mesa Community Plan for the Wateridge residential project.

(District-5.)

Adoption of a Resolution initiating an amendment to the Mira Mesa Community Plan for the Wateridge residential project.

FILE LOCATION: LAND-Mira Mesa Community Plan

COUNCIL ACTION: (Tape location: B191-444.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-212: (R-90-1423) DENIED

(Continued from the meetings of October 1, 1990, Item 205C,
and October 15, 1990, Item 201; last continued at
Councilmember Roberts' request, for further review.)

Adoption of a Resolution rescinding Development Impact Fees
for branch libraries and fire facilities as currently
charged in the urbanized areas and replacing them with one
standard impact fee for libraries and one for fire
facilities in all urbanized communities.
(See City Manager Report CMR-90-443.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E426-F219.)

Hearing began at 5:22 p.m. and halted at 5:38 p.m.

MOTION BY WOLFSHEIMER TO DENY THE RESCINDING OF DEVELOPMENT
IMPACT FEES FOR BRANCH LIBRARIES AND FIRE FACILITIES AND NOT
STANDARDIZE THESE FEES. Second by Roberts. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-213: CONTINUED TO NOVEMBER 20, 1990 at 10:00 A.M.

(Continued from the meetings of May 8, 1990, Item 333B;
July 10, 1990, Item 339; July 16, 1990, Item S406;
September 11, 1990, Item 330; September 24, 1990, Item 203
A & C; and October 10, 1990, Item 701; last continued at
Councilmember Roberts' request, for full Council and for a
report from Staff on impact to the community should down
zoning be implemented.)

A) Proposed rezonings and a community plan amendment
affecting various properties within the Pacific Beach
Community Plan Area that are currently zoned R-1500 and
designated in the community plan for multi-family
development at a maximum density of 29 dwelling units
per acre.

This proposal would change the zoning in certain areas from R-1500 (29 dwelling units per acre) to R-2500 (17 dwelling units per acre) or R-3000 (15 dwelling units per acre) or R1-5000, a single family zone (9 dwelling units per acre) or a combination of the three. The community plan would be amended to reflect the densities permitted by the adopted zoning.

The proposed rezonings were scheduled to be heard by City Council on September 11, 1990 but were rescheduled to September 24, 1990 at the direction of the City Council. The issue of rezonings in Pacific Beach was

heard previously by the City Council on May 8, 1990, on July 10, 1990, and on July 16, 1990.

B) A proposal to release the Pacific Beach Community from the provisions of the Single-Family Neighborhood Protection Ordinance No. O-17250 N.S.
(Pacific Beach Community Area. District-6.)

Subitem-A: (O-91-55)

Introduction of an Ordinance for R1-5000 and R-2500 Zoning.

Subitem-B: (O-91-54)

Introduction of an Ordinance for R1-5000 and R-3000 Zoning.

Subitem-C: (O-91-206 Corr. Copy)

Introduction of an Ordinance for R1-5000 Zoning.

NOTE: Only 1 ordinance should be introduced for Subitems A, B, and C.

Subitem-D: (R-91-485)

Adoption of a Resolution amending the Pacific Beach Community Plan, changing the density from 29 dwelling units per acre to 17 and 9 dwelling units per acre.

Subitem-E: (R-91-484)

Adoption of a Resolution amending the Pacific Beach Community Plan, changing the density from 29 dwelling units per acre to 15 and 9 dwelling units per acre.

Subitem-F: (R-90-2198 Corr. Copy)

Adoption of a Resolution amending the Pacific Beach Community Plan, changing the density from 29 dwelling units per acre to 9 dwelling units per acre.

NOTE: Only 1 resolution should be adopted for Subitems D, E, and F.

Subitem-G: (R-90-995 Corr. Copy)

Adoption of a Resolution adopting the Neighborhood Classification Map and releasing the Pacific Beach Community Plan area from the provisions of the Single-Family Neighborhood Protection Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A489-571.)

MOTION BY HENDERSON TO CONTINUE TO NOVEMBER 20, 1990 at 10:00 A.M. AS COMMUNITY DESIGN STANDARDS WILL BE IN PLACE AND THESE GUIDELINES CAN BE FOLLOWED. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-214: CONTINUED TO NOVEMBER 26, 1990

(Continued from the meeting of September 18, 1990, Item 348, and October 15, 1990, Item 206; last continued at a citizen's request, due to lack of time.)

Proposal to approve the Wuest Estate Development Agreement between the City of San Diego and Wuest Estate Company.

The proposed development agreement would apply to approximately 250 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public

facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Miramar Ranch North Community Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal description is as follows: northeast quarter of the northeast quarter and a portion of the northeast quarter of the northwest half of Section 29; and a portion of the south half of the south half, Section 20, Township 14 South, Range 2 West, SBM. The specific legal description is on file in the City Planning Department.

(Case-88-0908. District-5.)

Subitem-A: (R-91-430)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has

been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-91-49)

Introduction of an Ordinance approving the development agreement.

The proposed development agreement was previously considered by City Council on 11/14/88 - Item 212; 11/28/88 - Item 209; 12/12/88 - Item 211; and 2/21/89 - Item 330.

CITY MANAGER SUPPORTING INFORMATION: The proposed development agreement was docketed for Council action as Item 330 on

February 21, 1989. At that time the agreement was returned to the City Manager and Planning Director. The agreement before Council at this time is basically unchanged from the 1989 version with the exception of minor technical changes to reflect events that have occurred since February, 1989 and for an increase in the developer's contribution for City of San Diego General Park purposes from \$315,000 to \$1,065,000. This development agreement is similar to three others in the Miramar Ranch North community planning area that were originally presented to Council with this one, as a group of four small development agreements. The other three were approved by Council on December 12, 1988 and are in full force and effect at this time. The Manager and Planning Director recommend approval of the proposed development agreement. The City Attorney has approved the agreement with respect to form only.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A180-183.)

MOTION BY BERNHARDT TO CONTINUE TO NOVEMBER 26, 1990, AT THE REQUEST OF THE CITY MANAGER FOR TIME FOR THE CITY ATTORNEY TO REVIEW THE DOCUMENTS FURTHER. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Oct-29-1990

ITEM-215: CONTINUE TO DECEMBER 10, 1990

(Continued from the meetings of August 7, 1990, Item 331, September 18, 1990, Item 341 and October 16, 1990, Item

338; last continued at the City Manager's request, due to lack of time.)

A proposal for amendments to the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code, including: deletion of certain exemptions and exclusions; changes to the regulations relating to biologically sensitive lands, hillsides and

floodplains; changes to the findings and alternative compliance procedure; addition of a procedure to apply the ordinance to long range plans; and other amendments. The City Council will also consider the Resource Protection Ordinance Administrative Guidelines.
(City-wide.)

Subitem-A: (R-91-)

Adoption of a Resolution adopting the Resource Protection Ordinance Administrative Guidelines.

Subitem-B: (O-91-)

Introduction of an Ordinance amending Chapter X, Article 1, Division 4 of the Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A220-451.)

MOTION BY HENDERSON TO CONTINUE TO DECEMBER 10, 1990 AT THE REQUEST OF THE CHAIR OF THE COMMUNITY PLANNERS TO REVIEW THE NEW ORDINANCE. Second by Bernhardt. Passed by the following vote: Wolfsheimer-nay, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-216: (O-91-) CONTINUED TO JANUARY 8, 1991

(Continued from the meetings of July 10, 1990, Item 336, July 31, 1990, Item 344, August 7, 1990, Item S501, September 18, 1990, Item 343, and October 16, 1990, Item 339; last continued at the City Manager's request, due to lack of time.)

A proposal to amend the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code to delete Miramar Ranch North from Paragraph E., Exclusions.
(District-5.)

Introduction of an Ordinance deleting the exclusions for the Miramar Ranch North Community Plan area from the

Resource Protection Ordinance, Section 101.0462, Paragraphs
E4, 5 and 6 of the Municipal Code.

NOTE: See Item 217 for companion a item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A200-217.)

MOTION BY BERNHARDT TO CONTINUE TO JANUARY 8, 1991 AT THE
REQUEST OF THE CITY ATTORNEY. Second by Filner. Passed by the
following vote: Wolfsheimer-yea, Roberts-not present,
Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-217: (O-90-209) CONTINUED TO DECEMBER 10, 1990

(Continued from the meetings of July 10, 1990, Item 336,
July 17, 1990, Item S405, July 31, 1990, Item 345,
August 7, 1990, Item S502, September 18, 1990, Item 345 and
October 16, 1990, Item 340; last continued at the City
Manager's request, due to lack of time.)

A proposal to amend the Resource Protection Ordinance,
Article 1, Division 4, Section 101.0462 of the San Diego
Municipal Code to delete the Black Mountain Road, and
County Island Annexation areas from Paragraph E.,
Exclusions.

(District-5.)

Introduction of an Ordinance deleting the exclusions for
Black Mountain Road Assessment District, and the County
Island from the Resource Protection Ordinance, Section
101.0462, Paragraphs E4, 5 and 6 of the Municipal Code.

NOTE: See Item 216 for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A467-483.)

MOTION BY BERNHARDT TO CONTINUE TO DECEMBER 10, 1990 TO BE SENT
BACK TO THE COMMUNITY PLANNING CHAIRMAN WITH ORIGINAL ORDINANCE
FOR STAFF TO REVIEW.

Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-218: TRAIL TO OCTOBER 30, 1990

(Continued from the meetings of August 7, 1990, Item 338, September 18, 1990, Item 342, September 25, 1990, Item S500; Trailed as Unfinished Business from the meeting of October 16, 1990, Item 343, for full Council.)

In the matter of Vesting Tentative Map (Fairbanks Highlands), Planned Residential Development Permit and Resource Protection Overlay Zone Permit VTM, PRD & RPZ-88-1041, proposing a 109-lot subdivision of this site for each of the proposed residential development parcels, seven open space lots, one private recreation lot, and necessary public facilities to serve the site; and construction of 92 single-family detached residences (including site landscaping, brush management and off-street parking) on a vacant 391-acre site.

Street Vacation of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124, and Old Survey 451 as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed vesting tentative map for Fairbanks Highlands (VTM-88-1041).

The subject property is located generally north of Black Mountain Road and immediately west of the Penasquitos community in Zone A-1-10 (portions Hillside Review) and within the boundaries of the future urbanization area as identified by the City's General Plan. The subject property is more particularly described as portions of the northeast quarter and the east half of the northwest quarter of Section 11, the northwest quarter of Section 12, Township 14 South, Range 3 West, SBBM, Parcel Map PM-8133. (VTM, PRD & RPZ-88-1041. District-1.)

Subitem-A: (R-90-2220)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-1041 has been completed in compliance with the California

Environmental Quality Act of 1970 and State guidelines, and

that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-91-)

Adoption of a Resolution granting or denying the PRD permit, with appropriate findings to support Council action.

Subitem-C: (R-91-)

Adoption of a Resolution granting or denying the RPZ permit, with appropriate findings to support Council action.

Subitem-D: (R-91-)

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

Subitem-E: (R-90-2219)

Adoption of a Resolution authorizing the vacation of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124, and Old Survey 451 as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacations of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124 and Old Survey 451 have been initiated by the submission of the tentative map for Fairbanks Highlands (VTM-88-1041). The tentative map proposes subdivision of a 391-acre site for the purpose of creating 92 single-family residential lots. Development of the site will be controlled by the associated Planned Residential Development (PRD). The subject vacation is located in an area designated as a Future Urbanizing area immediately west of the Penasquitos East Community. The proposed vacation was reviewed by the adjacent designated Community Planning Groups (North City West Planning

Board and Rancho Penasquitos Planning Board) as part of the tentative map. There were no apparent concerns from the North City West Planning Board, and the Rancho Penasquitos Planning Board supported the project in concept. On May 24, 1990, the Planning Commission upheld an appeal to the Subdivision Board's recommendation of approval and recommended denial of the Fairbanks Highlands project by a 7-0 vote.

The subject vacation consists of portions of Black Mountain Road, which is an unimproved travelway that has an assumed width of 40 feet, three road surveys which are unplotable, and one

road survey which is partially utilized as a private road. The rights-of-way to be vacated will not be required for easement rights-of-way for access or traffic circulation since they will be replaced if the map is approved. The tentative map conditions provide for the dedication of half-width improvements for Carmel Valley Road with off-site transitions, the dedication of Camino Ruiz with a deferred six-year agreement for full-width improvements, and a system of private streets for access within the subdivision boundaries. The public benefits to be accrued with this vacation are an improved road system and improved utilization of the land.

Upon Council approval of the Planned Residential Development Permit (PRD-88-1041) and the Vesting Tentative Map (VTM-88-1041) for Fairbanks Highlands, the rights-of-way to be vacated would no longer be required for present or prospective use, as indicated by staff review. It is therefore recommended that, if the vacation is approved, it be conditioned upon the approval and recordation of the final map for Fairbanks Highlands (VTM-88-1041).

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E080-302.)

Motion By Roberts to Continue for six months. Second by Henderson. Failed. Yeas-2,6,7; Nays-1,3,8,M; Not eligible-4,5. Motion by Wolfsheimer to deny the project. Second by Hartley. Failed. Yeas-1,3,8,M; Nays-2,6,7; Not eligible-4,5.

MOTION BY WOLFSHEIMER TO TRAIL TO OCTOBER 30, 1990 IN ORDER FOR COUNCIL MEMBER PRATT TO LISTEN TO TAPES. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: PRESENTED

In the matter of a presentation to the Mayor and Council from the Otay Water District.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A058-090.)

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
O'Connor in honor of the memory of Tom Corcoran and Dorothy
D. Kelley at 6:25 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G164).